IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 24154 of 2007(A)

PETITIONER:

HARIKUMAR K.S., PAVANA, OORUPOIKA P.O.,
ATTINGAL, THIRUVANANTHAPURAM.

BY ADV. SRI.BENOY THOMAS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE SECRETARTY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF PUBLIC INSTRUCTION, THIRUVANANTHAPURAM.

3. DEPUTY DIRECTOR OF EDUCATION, THIRUVANANTHAPURAM.

4. DISTRICT EDUCATIONAL OFFICER, THIRUVANANTHAPURAM.

5. MANAGER, MUSLIM BOYS HIGH SCHOOL, KANIAPURAM, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 24154 OF 2007

Dated this the 9th day of August, 2007

J U D G M E N T

Grievance of the petitioner, who is stated to be working as a Physical Education Teacher in the Upper Primary Section, is that respondent No.5/Manager is refusing to declare his probation. It is admitted by the petitioner that he had been paid arrears of salary from 1988 till date. However, because of the refusal of the manager to declare his probation, he is being denied increments and Pay revision benefits.

2. Learned counsel submits that petitioner has preferred Ext.P6 representation before respondent No.1 in which he has highlighted all his grievance and the relevant aspects of the issue. The limited prayer is to issue a direction to respondent No.1 to take a decision on Ext.P6 expeditiously.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P6 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within four months

from the date of receipt of a copy of this judgment. Respondent No.1 shall ensure that apart from the petitioner, the manager is also afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007